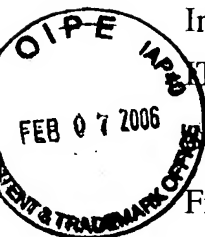


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Patent Application of

TOH

Serial No. 10/686,630

Filed: October 17, 2003

Atty. Ref.: 160-393

TC/A.U.: 2621

Examiner:

For: TEST TUBE TYPE DISCRIMINATION APPARATUS

* * * * *

February 7, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Attention is invited to the attached copy of an Official Action (including English translation) in the counterpart Japanese patent application mailed January 10, 2006 with respect to this disclosure and a copy of each document cited in it. A completed Form PTO/SB/08A is also attached.

Official citation and consideration of all the attached documents is requested. Please return to the undersigned a copy of the attached PTO/SB/08A with the examiner's initials in the left column [MPEP §609] with the next communication.

For purposes of adjustment of patent term, each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in Section 1.56(c) more than 30 days prior to the filing of this Information Disclosure Statement.

I hereby certify that each item of information contained herein was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months from the filing date of this statement [see 37 C.F.R. § 1.97(e) (1)].

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are

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material or constitute "prior art". If the examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 14-1140

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



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SERIAL NO.

10/686,630

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TC/A.U.

October 17, 2003

2621



(Use several sheets if necessary)

[illegible]

| | | | | | | | TRANSLATION | |
|----------|--|----------------|--------|---------|-------|----------|-------------|----|
| DOCUMENT | | | DATE | COUNTRY | CLASS | SUBCLASS | YES | NO |
| | | 2002-90374 | 3/2002 | Japan | | | ABSTRACT | |
| | | 10-216640 | 8/1998 | Japan | | | ABSTRACT | |
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| | | 2002-247436 | 8/2002 | Japan | | | ABSTRACT | |
| | | WO 01/09593 A1 | 2/2001 | PCT | | | | |

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Date Considered

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